REMARKS

1. Applicant thanks the Examiner for his findings, conclusions, and for his helpful comments during the Examiner interview of August 15, 2007.

2. It should be appreciated that Applicant has elected to amend Claims 1, 2, 27, and 53 solely for the purpose of expediting the patent process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendments, Applicant has not and does not in any way narrow the scope of protection to which the Applicant considers the invention herein entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

Hilton Davis / Festo Statement

The amendments herein to Claims 1 and 27 were not made for any reason related to patentability. Claims 1 and 27 were amended to clarify the invention. All of the above listed amendments were made for reasons other than patentability.

3. Claims 1-3, 8, 10-12, 14, 18-29, 34, 36-40, 44-52 and 61 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 5,732,398 (hereinafter "Tagawa").

Independent Claims 1 and 27 and dependent Claims 2, 3, 8, 10-12, 14, 18-26, 28, 29, 34, 36-50, 44-52, and 61

As to Claim 1, the Applicant respectfully disagrees. Claim 1 requires, "a context determination module". By the Examiner's own admission, Tagawa does not expressly disclose a context determination module. The Examiner argues, citing Tagawa, that if the user, present at a local destination kiosk as in Hawaii, selects a button for a local

tour package 216 that a routine illustrated in Figures 7A-7C is activated and that this process renders obvious a context determination module. Apparently, the Examiner argues that a user being at a geographically located kiosk renders context to a search for a local destination search. Further, this argument assumes that the "context determination module" is the same as the "server receiving the request". However, Claim 1 clearly states that the server receives the request and that the context determination module **determines a context** from the request. Hence, input provided to the context determination module is separate from the request received by the server. Still further, Claim 1 requires that the context determination module receives no user provided information other than the received request. In stark contrast, Tagawa teaches in Figure 7 a deterministic menu driven algorithm requiring user input steps such as:

- menu(s) 402;
- select type of tour 404; and
- type of one day tour 408.

Hence, the additional selection requirements cited by the Examiner as making additional user selections not only (1) describe additional steps eliminated by Claim 1 but also (2) are explicitly outside of the scope of Claim 1. Hence, Tagawa teaches a process requiring additional unnecessary steps and teaches away from Claim 1 in the form of those requests. Still further, Tagawa does not teach determining a context from the request. Accordingly, the current rejection of Claim 1 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be improper.

As to Claim 27, Claim 27 contains claim limitations of "receiving a request" and "determining a context", which are related to the Claim 1 clauses of "server receives the request" and "context determination module used in the above described argument. Hence, for the reasons stated above in relation to Claim 1, the current rejection of Claim

27 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be improper.

Claims 1-3, 8, 10-12, 14, 18-26, and 61

However, to expedite the patent prosecution process, the Applicant amends Claim 1 to clarify that the context determination module processes the phrase request to determine whether context of the phrase corresponds to an interest or a destination. Support for the amendment is found in the application as filed at least at page 6, lines 2-9, reading in part "the search mechanism figures out the appropriate category ... [comprising] at least two categories, destination and interest." In stark contrast, Tagawa, which uses a deterministic menu driven input does not teach or describe a probabilistic context determination. Stated differently, Tagawa teaches a user selection input process resulting in a deterministic outcome, whereas Claim 1 teaches a probabilistic context determination. Even if Tagawa can be broadly interpreted as teaching a context determination module, Tagawa does not teach a context determination module that determines if an input phrase corresponds to an interest or a destination. The Applicant still further amends Claim 1 to clarify the invention by further requiring that the searching module is configure to search for a search result based on both the context and the query, where the query was processed by a context determination module to determine if the phrase corresponds to an interest or a destination. Support for the amendment is found at least within original Claim 1, where the search module was configure to search said query and said context. Claim 1 is further amended to refer to "the" end user according to standard claim drafting practices. Claim 1 is still further amended to remove the feed retrieval system and the database coupled to the feed retrieval system placing them into Claim 2, as described *infra*. Claim 1 is further amended to remove three wherein clauses. Accordingly, the current rejection of Claim 1 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be overcome.

Claim 2

The Applicant amends Claim 2 to incorporate elements removed by amendment, as described *supra*, from Claim 1.

Claims 27-29, 34, 36-50, and 44-52

In order to expedite the patent prosecution process, the Applicant amends Claim 27 in two parts:

First, the Applicant amends Claim 27 to clarify that the request received by the server is a phrase request. Support for the amendment is found in the application as filed at least at page 6, lines 4 and 5. All of the input required by Tagawa, such as the menu(s) 402; selection of tour type 404; and type of one day tour 408 are entered via a menu or touch screen. The difference is significant in that Claim 27 requires the step of automatically determining a context, where the context is based upon the phrase request. This step of automatically determining from a language request is inherently probabilistic in nature. In stark contrast, Tagawa teaches a menu or push button form of entry. As taught by Tagawa, selection of output from the menu driven input is deterministically achieved. Hence, the claimed probabilistic step of determining context from an input phrase lies in stark contrast with the deterministic menu driven approach taught by Tagawa. Accordingly, the current rejection of Claim 27 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be overcome.

Second, the Applicant amends Claim 27 to clarify that the step of determining processes said phrase query to determine whether the context corresponds to an interest or a destination. Support for the amendment is found in the application as filed at least at page 6, lines 2-9, reading in part "the search mechanism figures out the appropriate category ... [comprising] at least two categories, destination and interest." In stark contrast, Tagawa, which uses a deterministic menu driven input does not teach or describe a probabilistic context determination. Stated differently, Tagawa teaches a

user selection input process resulting in a deterministic outcome, whereas Claim 27 teaches a probabilistic context determination. Even if Tagawa can be broadly interpreted as teaching a context determination module, Tagawa does not teach a context determination module that processes a phrase query to determine if the phrase relates to an interest or a destination. Accordingly, the current rejection of Claim 27 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be overcome.

Third, the Applicant still further amends Claim 27 to clarify the invention by further requiring that the step of searching searches according to both the query and the context. Support for the amendment is found at least within original Claim 1 and original Claim 27, where the search module was configure to search said query and said context. Tagawa does not teach or suggest searching on both context and a query processed to determine if the query relates to an interest or a destination where the query results from a processed phrase request. Accordingly, the current rejection of Claim 27 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be overcome.

4. The Applicant adds new Claims 67 and 68 depending from independent Claim 27. Support for new Claim 67 is found in the application as filed at least at page 6, lines 11-16. Support for new Claim 68 is found in the application as filed at least at page 11, lines 21-24. Applicant certifies that no new matter was added by way of the new claims.

5. Claims 4, 5, 30, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. patent no. 6,457,009 (hereinafter "Bollay").

In view of the above described amendments to parent Claims 1 and 27, the current rejection of dependent Claims 4, 5, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of Bollay is rendered moot.

6. Claims 6, 7, 32, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. patent no. 6,601,059 (hereinafter "Fries").

In view of the above described amendments to parent Claims 1 and 27, the current rejection of dependent Claims 6, 7, 32, and 33 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of Fries is rendered moot.

7. Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of U.S. patent no. 5,408,417 (hereinafter "Wilder").

In view of the above described amendments to parent Claim 1, the current rejection of dependent Claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of Wilder is rendered moot.

8. Claims 15-17 and 41-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of www.travelocity.com.

In view of the above described amendments to parent Claims 1 and 27, the current rejection of dependent Claims 15-17 and 41-43 under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of www.travelocity.com is rendered moot.

9. Claims 53-56 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagawa in view of "The Never-Ending Quest: Search Engine Relevance" by Notes, Greg R.

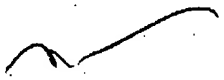
Claim 53

The Applicant amends Claim 53 clarify the invention by way of several amendments. First, the Applicant further requires that the step of automatically determining a context, where the context is an interest or a destination. Tagawa does not teach a step of determining if the search request comprises an interest or a destination. Second, the Applicant further amends Claim 53 to require that if the context comprises and interest to searching a first database of interest information for the interest. Third, the Applicant still further amends Claim 53 to upon the condition of not receiving results to the first query, to perform a second query of an interest database. Tagawa does not teach or suggest the preferential return of information from an interest database when the search request is determined from context to be an interest and to return information from a destination database only upon the condition of not receiving results from the first query of the interest database. Accordingly, the current rejection of Claim 53 and all claims dependent therefrom under 35 U.S.C. § 103(a) as being unpatentable over Tagawa is deemed to be overcome.

CONCLUSION

In view of the above, the Application is deemed to be in allowable condition. The Examiner is therefore earnestly requested to withdraw all outstanding rejections, allowing the Application to pass to issue as a United States Patent. Should the Examiner have any questions regarding the application, the Examiner is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,



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